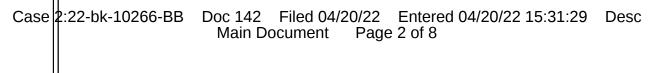
Case 2:22-bk-10266-BB Doc 142 Filed 04/20/22 Entered 04/20/22 15:31:29 Desc Page 1 of 8 Main Document 1 JOHN-PATRICK M. FRITZ (State Bar No. 245240) LEVENE, NEALE, BENDER, 2 YOO & GOLUBCHIK L.L.P. FILED & ENTERED 2818 La Cienega Avenue 3 Los Angeles, California 90034 APR 20 2022 Telephone: (310) 229-1234 4 Facsimile: (310) 229-1244 5 Email: JPF@LNBYG.COM **CLERK U.S. BANKRUPTCY COURT** Central District of California BY evangeli DEPUTY CLERK 6 Attorneys for Chapter 11 Debtor and Debtor in Possession 7 8 UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA 9 LOS ANGELES DIVISION 10) Case No.: 2:22-bk-10266-BB In re: 11 ESCADA AMERICA LLC,) Chapter 11 Case 12 Subchapter V Debtor and Debtor in Possession. 13 ORDER APPROVING STIPULATION TO EXTEND DEADLINES AND 14 SCHEDULING REGARDING: 15 (1) DEBTOR'S MOTION FOR ORDER: 16 (I) AUTHORIZING USE OF CASH COLLATERAL PURSUANT TO 17 SECTION 363 OF THE BANKRUPTCY CODE; AND (II) APPROVING 18 ADEQUATE PROTECTION [ECF 101]; (2) OBJECTION OF SIMON 19 PROPERTY GROUP AND **BROOKFIELD PROPERTIES RETAIL** 20 TO DEBTOR'S SUBCHAPTER V ELECTION OR, ALTERNATIVELY, 21 MOTION FOR APPOINTMENT OF AN OFFICIAL COMMITTEE OF 22 **UNSECURED CREDITORS [ECF 103];** AND 23 (3) CREDITOR 717 GFC LLC'S (1) 24 JÓINDER TO OBJECTION OF SIMON PROPERTY GROUP AND 25 **BROOKFIELD PROPERTIES RETAIL** TO DEBTOR'S SUBCHAPTER V 26 ELECTION OR, ALTERNATIVELY. MOTION FOR APPOINTMENT OF AN 2.7 **OFFICIAL COMMITTEE OF UNSECURED CREDITORS, AND (2)** 28 1



) LIMITED OBJECTION TO USE OF 1 CASH COLLATERAL [ECF 111] 2 Hearing: 3 Date: April 27, 2022 Time: 10:00 a.m. 4 Place: Courtroom 1539 255 East Temple Street 5 Los Angeles, CA 90012 6 Hearing to be held in-person and by video-7 conference Government Zoom, see Court's website under "Telephonic Instructions" for 8 more details: https://www.cacb.uscourts.gov/judges/honor 9 able-sheri-bluebond 10 11

The Court, having read and considered that certain Stipulation to Extend Deadlines and Scheduling Regarding: (I) Motion for Order (I) Authorizing Use of Cash Collateral Pursuant to Section 363 of the Bankruptcy Code; and (II) Providing Adequate Protection [ECF 101], and (II) Objection of Simon Property Group and Brookfield Properties Retail to Debtor's Subchapter V Election or, Alternatively, Motion for Appointment of an Official Committee of Unsecured Creditors [ECF 103] (the "Stipulation") entered into, through counsel, by and between Escada America LLC, a Delaware limited liability company, (the "Debtor"), the debtor and debtor in possession in the above-captioned chapter 11, subchapter V bankruptcy case, on the one hand, and creditors Brookfield Properties Retail, Inc., Simon Property Group, Inc., and certain of their respective affiliates (collectively, the "Creditors") and 717 GFC LLC ("GFC"), on the other hand, the record in this case, the docket in this case, and good cause appearing therefor,

IT IS HEREBY ORDERED as follows:

1. The Stipulation is approved.

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2. The hearing on the Motion for Order (I) Authorizing Use of Cash Collateral Pursuant to Section 363 of the Bankruptcy Code; and (II) Providing Adequate Protection (the "<u>Cash Collateral Motion</u>") [ECF 101] and the objections thereto on April 27, 2022, at 10:00

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a.m. will be an interim hearing, with a further hearing set for May 11, 2022, at 10:00 a.m. (the "Further Hearing").

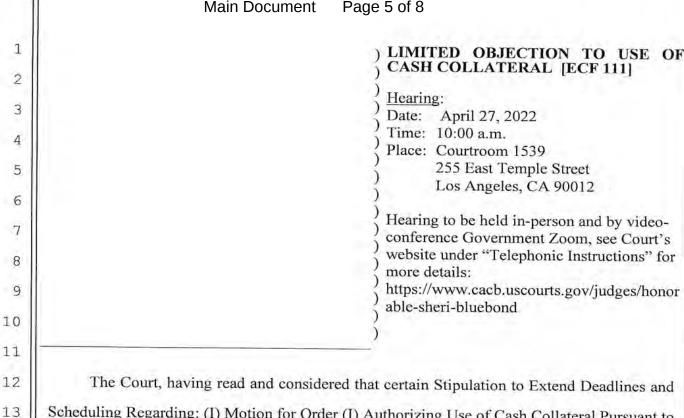
- 3. The Debtor's deadline to file a reply in support of the Cash Collateral Motion is extended to the date that is 7 days prior to the Further Hearing.
- 4. The hearing on the Objection of Simon Property Group and Brookfield Properties Retail to Debtor's Subchapter V Election or, Alternatively, Motion for Appointment of an Official Committee of Unsecured Creditors (the "Election/Committee Motion") [ECF 103], Creditor 717 GFC LLC's (1) Joinder to Objection of Simon Property Group and Brookfield Properties Retail to Debtor's Subchapter V Election or, Alternatively, Motion for Appointment of an Official Committee of Unsecured Creditors, and (2) Limited Objection to Use of Cash Collateral (the "Joinder") [ECF 111], and any responses thereto on April 27, 2022, at 10:00 a.m., is continued to and rescheduled concurrently with the Further Hearing.
- 5. The deadline for the Creditors and GFC to file a reply in support of the Election/Committee Motion and Joinder is extended to the date that is 7 days prior to the Further Hearing.
- 6. At the status conference on April 27, 2022, the Debtor, Creditors, and GFC may jointly request that the status conference be continued concurrently with the Further Hearing.
- 7. At the status conference on April 27, 2022, the Debtor, Creditors, and GFC may jointly request that the Court extend the Debtor's deadline to file a subchapter V plan under 11 U.S.C. § 1189(b) from May 2, 2022, to May 16, 2022, without prejudice to further extension, and without prejudice to the relief sought by the Election/Committee Motion and Joinder.

ate: April 20, 2022

Sheri Bluebond

United States Bankruptcy Judge

Case		22 Entered 04/20/22 15:31:29 Desc age 4 of 8	
1	JOHN-PATRICK M. FRITZ (State Bar No. 2	45240)	
2	LEVENE, NEALE, BENDER, YOO & GOLUBCHIK L.L.P.		
3	2818 La Cienega Avenue		
4	Los Angeles, California 90034 Telephone: (310) 229-1234		
5	Facsimile: (310) 229-1244		
	Email: JPF@LNBYG.COM		
6	Attorneys for Chapter 11 Debtor and Debtor in Possession		
7	Debtor and Debtor in Possession		
8	UNITED STATES B.	ANKRUPTCY COURT	
9	CENTRAL DISTRICT OF CALIFORNIA LOS ANGELES DIVISION		
10	In re:) Case No.: 2:22-bk-10266-BB	
11)	
12	ESCADA AMERICA LLC,) Chapter 11 Case) Subchapter V	
13	Debtor and Debtor in Possession.	ORDER APPROVING STIPULATIO	
14		TO EXTEND DEADLINES AN SCHEDULING REGARDING:	
15) SCHEDULING REGARDING:	
16		(I) DEBTOR'S MOTION FOR ORDER	
17) (I) AUTHORIZING USE OF CAS COLLATERAL PURSUANT T	
18		SECTION 363 OF THE BANKRUPTO CODE; AND (II) APPROVIN	
19		ADEQUATE PROTÈCTION [ECF 101]	
20) (II) OBJECTION OF SIMO PROPERTY GROUP AN	
21		BROOKFIELD PROPERTIES RETAINED TO DEBTOR'S SUBCHAPTER	
22) ELECTION OR, ALTERNATIVELY) MOTION FOR APPOINTMENT OF A	
		OFFICIAL COMMITTEE O UNSECURED CREDITORS JECF 103	
23		AND	
24) (III) CREDITOR 717 GFC LLC'S (1) JOINDER TO OBJECTION OF SIMO	
25		PROPERTY GROUP AND BROOKFIELD PROPERTIES RETAILS	
26		TO DEBTOR'S SUBCHAPTER ELECTION OR, ALTERNATIVELY	
27) MOTION FOR APPOINTMENT OF A) OFFICIAL COMMITTEE O	
28		_) UNSECURED CREDITORS, AND (2	



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The Court, having read and considered that certain Stipulation to Extend Deadlines and Scheduling Regarding: (I) Motion for Order (I) Authorizing Use of Cash Collateral Pursuant to Section 363 of the Bankruptcy Code; and (II) Providing Adequate Protection [ECF 101], and (II) Objection of Simon Property Group and Brookfield Properties Retail to Debtor's Subchapter V Election or, Alternatively, Motion for Appointment of an Official Committee of Unsecured Creditors [ECF 103] (the "Stipulation") entered into, through counsel, by and between Escada America LLC, a Delaware limited liability company, (the "Debtor"), the debtor and debtor in possession in the above-captioned chapter 11, subchapter V bankruptcy case, on the one hand, and creditors Brookfield Properties Retail, Inc., Simon Property Group, Inc., and certain of their respective affiliates (collectively, the "Creditors") and 717 GFC LLC ("GFC"), on the other hand, the record in this case, the docket in this case, and good cause appearing, therefor,

HEREBY ORDERS AS FOLLOWS:

1. The Stipulation is approved.

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2. The hearing on the Motion for Order (I) Authorizing Use of Cash Collateral Pursuant to Section 363 of the Bankruptcy Code; and (II) Providing Adequate Protection (the "Cash Collateral Motion") [ECF 101] and the objections thereto on April 27, 2022, at 10:00

a.m. will be an interim hearing, with a further hearing set for May 11, 2022, at 10:00 a.m. (the "Further Hearing").

- 3. The Debtor's deadline to file a reply in support of the Cash Collateral Motion is extended to the date that is 7 days prior to the Further Hearing.
- 4. The hearing on the Objection of Simon Property Group and Brookfield Properties Retail to Debtor's Subchapter V Election or, Alternatively, Motion for Appointment of an Official Committee of Unsecured Creditors (the "Election/Committee Motion") [ECF 103], Creditor 717 GFC LLC's (1) Joinder to Objection of Simon Property Group and Brookfield Properties Retail to Debtor's Subchapter V Election or, Alternatively, Motion for Appointment of an Official Committee of Unsecured Creditors, and (2) Limited Objection to Use of Cash Collateral (the "Joinder") [ECF 111], and any responses thereto on April 27, 2022, at 10:00 a.m., is continued to and rescheduled concurrently with the Further Hearing.
- The deadline for the Creditors and GFC to file a reply in support of the Election/Committee Motion and Joinder is extended to the date that is 7 days prior to the Further Hearing.
- At the status conference on April 27, 2022, the Debtor, Creditors, and GFC may
 jointly request that the status conference be continued concurrently with the Further Hearing.
- 7. At the status conference on April 27, 2022, the Debtor, Creditors, and GFC may jointly request that the Court extend the Debtor's deadline to file a subchapter V plan under 11 U.S.C. § 1189(b) from May 2, 2022, to May 16, 2022, without prejudice to further extension, and without prejudice to the relief sought by the Election/Committee Motion and Joinder.

SO ORDERED.

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1	AGREED AS TO FORM:	
2	Dated: April 19, 2022	ESCADA AMERICA LLC
3		By: /s/ John-Patrick M. Fritz
4		JOHN-PATRICK M. FRITZ LEVENE, NEALE, BENDER,
5		YOO & GOLUBCHIK L.L.P.
6		Attorneys for Chapter 11 Debtor and Debtor in Possession
7		
8	Dated: April 19, 2022	BROOKFIELD PROPERTIES RETAIL, INC., SIMON PROPERTY GROUP, INC., AND CERTAIN OF THEIR RESPECTIVE AFFILIATES
10		
11		By:
12		IVAN M. GOLD ALLEN MATKINS LECK GAMBLE MALLORY &
13		NATSIS LLP
14		Attorneys for Brookfield Properties Retail, Inc., Simon Property Group, Inc., and Certain of their Respective
15		Affiliates
16	Dated: April 19, 2022	717 GFC LLC
17		
18		By:
19		JOHN C. CANNIZARO ALYSON M. FIEDLER
20	5 (ICE MILLER LLP
21		Attorneys for 717 GFC LLC
22		
23		
24		
25		
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27		
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Case		led 04/20/22 Entered 04/20/22 15:31:29 Desc ment Page 8 of 8
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4		JOHN-PATRICK M. FRITZ LEVENE, NEALE, BENDER,
5		YOO & GOLUBCHIK L.L.P.
6		Attorneys for Chapter 11 Debtor and Debtor in Possession
7	D . 1 A . 110 2022	DROOMERE D BRODEDWIEG DETAIL DIG GRAOM
8	Dated: April 19, 2022	BROOKFIELD PROPERTIES RETAIL, INC., SIMON PROPERTY GROUP, INC., AND CERTAIN OF THEIR
9		RESPECTIVE AFFILIATES
10		By:
11		IVAN M. GOLD ALLEN MATKINS LECK GAMBLE MALLORY &
12		NATSIS LLP
13	•	Attorneys for Brookfield Properties Retail, Inc., Simon
14 15		Property Group, Inc., and Certain of their Respective Affiliates
16		
17	Dated: April 19, 2022	717 GFC LLC
18		By:
19		JOHN C. CANNIZARO ALYSON M. FIEDLER
20		ICE MILLER LLP
21		Attorneys for 717 GFC LLC
22		
23		
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